

Vickie L. Gabin, Special Master
United States District Court
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June 3, 2008

Edward G. Newville, Special Assistant Attorney General
Office of the State Engineer
P.O. Box 25102
Santa Fe, NM 87504-5102

Re: State v. Aragon, 69cv07941; Sections 3 & 7

Dear Mr. Newville:

As you know, our next status conference for the Rio Chama stream system adjudication is set for June 16 in Tierra Amarilla, NM. At the last status conference on March 10, you distributed the chart "Upper Rio Chama (Sec. 3, 5 & 7), Subfiles to Date." You also stated that currently, there were fewer than 90 open subfiles, about one-third of which were in the Rio Canjilon subsection of Section 3.

At the upcoming status conference, please provide a list of the open subfiles with, at a minimum, the current owners' names and addresses. If possible, provide a very brief status assessment on the subfiles. For example, data indicating whether further field checks are scheduled, the State is preparing proposed default orders, consent orders are in preparation, or evidentiary hearings are expected, will be helpful to the Court in scheduling further proceedings. In particular, I intend to hold a pretrial conference in the fall with defendants whose water rights claims are likely to be scheduled for litigation. This is not to say that trials are imminent; rather, I think it's a good first step for these defendants to appear and discuss the basis of their disagreements in court.

Thank you for your continuing attention to these matters.

Very truly yours,

Vickie L. Gabin

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